

SUSSEX EDUCATION TRUST LIMITED

SCHEME OF DELEGATED AUTHORITY



The governors may delegate to a committee, to any governor holding executive office or to the Principal, such of their powers or functions as they consider being desirable to be exercised by them.

Functions that can be delegated to a committee, but **cannot be delegated to an individual** include those that relate to:

- the approval of the first formal budget plan of the financial year;
- academy discipline policies;
- the exclusion of pupils (except in an emergency when the chair has the power to exercise these functions);
- admissions.

The Trust cannot delegate any functions relating to:

- the constitution of the Trust (unless otherwise provided by the Constitution Regulations);
- the appointment or removal of the chair and vice-chair;
- the appointment of a clerk to Governors;
- the suspension of Governors;
- the delegation of functions;
- the establishment of committees.

Any committee to whom a decision has been delegated must report to the Trust in respect of any action taken or decision made. Any individual, such as a Business Manager, to whom a decision has been delegated, must report to either the Trust or to an academy committee in respect of any action taken or decision made. The Trust can still perform functions it has delegated; this enables the Trust to take decisions on matters that are discussed at meetings on functions that have been delegated.

The Trust must determine the membership and proceedings of any committee. The Trust must also review the establishment, terms of reference, constitution and membership of any committee annually. The membership of any committee may include associate members, provided that a majority of members of the committee are governors. Each committee must have a chair, who is appointed by the Trust. The Trust may remove the chair of a committee from office at any time.

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The Academy Trust appoints the Principal. The Principal is responsible for the internal organisation, management and control of the academy, for advising on and implementing the Trust's strategic framework, for the implementation of all policies approved by the governors and for the direction of the teaching and the curriculum at the Academy. For these purposes the governors shall delegate those powers and functions required by the Principal.

The academy committees will act in an advisory capacity to the Trust except where powers have been specifically delegated to them by the Trust. An academy committee may choose to establish its own committees; any such committee will act in an advisory capacity to the academy committee. The functions and proceedings of the academy committees are subject to regulations made by the governors from time to time pursuant to the powers contained in the Memorandum of Association.

The Trust shall appoint committees for Education, Finance and General Purposes, HR and Legal, Premises and Marketing all with functions related to the academy; these committees will act in an advisory capacity to the Trust, except where powers have been specifically delegated to them by the Trust.

The Principal will formulate aims and objectives and policies and targets for the Trust to consider, and to report to the Trust on progress at each meeting. The Principal will work closely with the director of teaching and learning and other appropriate staff to this end.

The Principal is responsible for preparing the teaching and learning policy and curriculum statement and for reviewing them every academic year; this will be done in consultation with the appropriate staff. The Trust must consider and agree the Principal's teaching and learning policy and curriculum statement and monitor and review its implementation. The Trust is responsible for establishing a written performance management policy to govern implementation of Trust teacher and support staff performance management, after making sure that staff employed by the Trust are consulted. The Trust may ask the Principal to consult staff on its behalf but must ensure that consultation takes place. The Trust must review the policy, again having ensured that all staff are consulted every academic year. The Principal must draft the policy, if the Trust so directs, and, with the Trust, must implement the policy. The Trust must make a copy of the policy available at the academy to any of the academy's staff; anyone inspecting the academy's performance management system or to the external adviser. The Principal will carry out these responsibilities.

The Principal and professional staff are accountable to the Trust for the academy's performance. The Trust will be prepared to explain its decisions and actions to anyone who has a legitimate interest. This may include staff, pupils and parents as well as the local authority, or the Secretary of State. The Principal will involve the Trust and academy committees as appropriate at an early stage when formulating policies. The Trust will offer support, constructive advice, a sounding board for ideas, a second opinion on proposals and help where needed, but may also challenge, ask questions, seek information, improve proposals and so seek to arrive at the best solution. The Principal will comply with any reasonable direction by the Trust when acting on the Trust's behalf.

The Trust will review this policy annually.

Signed _____

Date _____

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DECISION PLANNER

The following table sets out all the main academy functions. For each function it suggests a decision level. The decision levels are:

TRUST - Decisions made by the Trust.

A star ★ indicates that decisions are made without advice from the Principal.

COMM - Decisions made by one of the Committees of the Trust. E.g. Finance Committee, Staffing Committee, Pay Committee

N.B. Actions taken by a properly constituted committee, or delegated to an individual governor or to the Headteacher are taken on behalf of the Trust. The Trust will remain accountable.

PRINCIPAL - Decisions delegated to the Principal.

BM - Decisions delegated to the Business Manager.

STAFF - Decisions delegated to other members of staff.

The table below concentrates on the division of responsibility between the Trust (whether as a whole or in committee or through an individual governor) and the Principal of the Academy. Those decisions which have to be taken by the whole Trust and cannot be delegated are asterisked on the Decision Planner.

Where the law means that a particular function cannot be carried out at a particular level, or it is not considered good practice to do so, the relevant column is crossed. The Decision Planner indicates the appropriate level with a tick.

The Trust may review their delegations annually or if circumstances change.

TRUST DECISION PLANNER

Key

Cross	X	Function cannot legally be carried out at this level or it is not considered good practice to do so.
Tick	✓	Recommended level(s) of delegation or where law assigns specific responsibility
Blank		Action could be carried out at this level if the Trust so decides, but is not generally recommended.
Asterisk	*	Functions which the whole Trust must consider.
Star	★	Decisions are made without advice from the Principal.

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ACADEMY BUDGETS

KEY FUNCTION	ACTION SHEET TASKS	TRUST	COMM	PRINCIPAL	BM	STAFF	Staff
Accounting	Adhering to accounting policies and guidelines issued by the DfE				✓		
	Maintaining accurate, reconciled and up to date records to provide financial and statistical information	X	X		✓		
Assets	Arranging security of buildings, furniture, equipment, stock, stores and cash					✓	i/c premises
	Maintaining an inventory of all movable items of equipment and security marking such items					✓	i/c premises
	Checking annually the inventory to verify the location and condition of each item of equipment					✓	i/c premises
	Authorising the disposal of unusable or obsolete equipment included in the inventory		✓	X	X	X	
	Maintaining a record of all property borrowed by staff					✓	i/c premises
Audit	Availability of records and documents for inspection by the County Treasurer's Management Audit Section				✓		
	Implementing recommendations arising from an audit inspection		✓			X	
	Receiving the report from an audit inspection and the response to the Action Plan		✓	X	X	X	
	Adopting and promoting a Confidential Reporting Policy	✓		X	X	X	
	Maintaining a register of pecuniary and business interests for governors	✓		X	X	X	
	Maintaining a register of pecuniary and business interests for staff	✓					
	Providing reconciled bank statements				✓		
	Maintaining a record of all cash holdings in the academy				✓		

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KEY FUNCTION	ACTION SHEET TASKS	TRUST	COMM	PRINCIPAL	BM	STAFF	Staff
Budget	Overseeing the preparation of the annual budget plan and ensuring it links to the priorities established by the academy self-evaluation form (SEF) and the Asset Management and Premises Development plans				✓		
	To approve the first formal budget plan each financial year*	✓		X	X	X	
	Notifying the approved budget to the DfE				✓		
	Keep under review the Trust's actual financial performance throughout the year		✓				
	Review the financial position at the end of each year		✓				
	Approving transfer between budget headings (virements) within agreed limits (specified in finance manual)				✓		
Governor Expenses	Establishing procedures for governors to claim expenses	✓		X	X	X	X
Income (incl. lettings)	Approving a lettings policy/PFI contributions, and fees	✓		X	X	X	X
	Rendering accounts promptly. Receipting and banking promptly all income intact. Not cashing personal cheques. Recording cash passed from one person to another				✓		
	Notifying Chief Internal Auditor of receipts > £10,000				✓		
	Writing off of debts		✓	X	X	X	X
ICT Systems	Controlling systems, security and privacy of data					✓	i/c ICT
	Registering under Data Protection legislation				✓		
Insurance	Reviewing insurance cover in the light of a risk assessment				✓		
Investments	Setting aside funds in Accumulating Fund		✓	X	X	X	X

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KEY FUNCTION	ACTION SHEET TASKS	TRUST	COMM	PRINCIPAL	BM	STAFF	Staff	
Orders and Paying for Goods/Services	Ensuring that all contracts and agreements conform with the Standing Orders				✓			
	Accepting tenders and authorising contracts for goods, works and services over £75,000 in value		✓	X	X	X	X	
	Receipting and custody of all tenders		✓					
	Authorising staff to open tenders		✓					
	Making payments only when goods have been received to the correct price, quantity and quality standard	X						
	Paying the correct person and the correct amount supported by an invoice	X						
	Retaining and storing invoices, vouchers and other financial records in a secure way for the defined period	X						
	Approving applications for Business/Credit Cards		✓	X	X	X		
	Salaries, Wages and Pensions	Notifying the F&GP committee of any matters affecting payments to employees				✓		
		Certifying pay documents and other time records	X			✓		
Approving salary policy and annually reviewing Principal's salary		⚙️		X	X	X		
Taxation	Complying with VAT and CIT regulations	X			✓			
Voluntary Funds	Administering of voluntary funds				✓			
	Appointing an independent Examiner / Auditor		✓	X	X	X		
	Receiving audited annual accounts	✓		X	X	X		
	Miscellaneous financial decisions		✓					

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KEY FUNCTION	ACTION SHEET TASKS	TRUST	COMM	PRINCIPAL	BM	STAFF	Staff
Voluntary Funds	To investigate financial irregularities (involving Principal)	⚙️		X	X	X	
	To investigate irregularities (other)			✓			
	To make payments				✓		

OTHER

Staffing	Headteacher appointment*	⚙️		X	X	X	
	Head of Academy, Business Manager, Deputy Head & Assistant Head appointments and other members of SLT	✓		X	X	X	
	Head of Subject & Head of Year appointments			✓			
	Appoint other teachers			✓			
	Appoint non-teaching staff			✓	X	X	
	Pay discretions		✓		X	X	
	Establishing disciplinary/capability procedures		✓		X	X	
	Dismissal of Headteacher*	⚙️		X	X	X	
	Dismissal (other staff)		✓	X	X	X	
	Suspending Headteacher	⚙️		X	X	X	
	Suspending other staff			✓		X	
	Ending suspension (Headteacher)	⚙️		X	X	X	
	Ending suspension (except Headteacher)			✓	X	X	
	Determining dismissal payments/early retirement		✓				

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KEY FUNCTION	ACTION SHEET TASKS	TRUST	COMM	PRINCIPAL	BM	STAFF	Staff
Curriculum	Ensure curriculum fulfils legal requirements			✓			
	To draft curriculum policy			✓			
	To implement curriculum policy			✓			
	To agree or reject and review curriculum policy	✓		X	X	X	
	Responsible for standards of teaching		✓				
	To decide which options are to be taught having regard to resources and implement provision for flexibility in the curriculum			✓			
	Responsibility for individual child's education			✓			
	Provision of sex education - make and keep up to date a written policy*	✓		X	X	X	
	To draw up a charging and remissions policy for activities*	✓					
	To prohibit political indoctrination and ensuring the balanced treatment of political issues*	✓			X	X	
Performance Management	To establish a performance management policy		✓				
	To implement the performance management policy			✓			i/c staff dev
	To review the annual performance management policy			✓	X	X	
Target Setting	To set and publish targets for pupil achievement			✓	X	X	
Behaviour	To establish & agree a discipline policy*	✓		X	X	X	
Exclusions	To exclude a pupil for one or more fixed terms or permanently	X		✓			
	To review the use of exclusion and to decide whether or not to confirm all permanent exclusions and fixed term exclusions where the pupil is either excluded for more than 5 days in total in a term or would lose the opportunity to sit a public examination			✓	X	X	

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KEY FUNCTION	ACTION SHEET TASKS	TRUST	COMM	PRINCIPAL	BM	STAFF	Staff
Admissions	To consult annually before setting an admissions policy*	✓		X	X	X	
	To set an admissions policy*	✓		X	X	X	
	Admission application decisions		✓	X	X	X	
Religious	Responsibility for ensuring a provision of RE in line with the curriculum	✓					
Collective Worship	Ensure that each academy provides a daily act of collective worship*	✓		X	X	X	
	Arrangements for collective worship	X	X	✓			
Premises	Buildings insurance		✓				
	Strategy (including budgeting and repairs etc.)		✓				
	To ensure Health and Safety issues are met			✓			
Academy Organisation	To draft an Academy Action Plan following OFSTED inspection and distribute copies to parents	✓					
	To set the times of academy sessions and the dates of academy terms and holidays *	✓		X	X	X	
	To provide information to be published by the Trust*	✓		X	X	X	
	To ensure the provision of free school meals to those pupils meeting criteria				X	X	
	Adoption and review of home-academy agreements	✓		X	X	X	
Complaints	First stage of complaints, as per Complaints Policy				X	X	
	Second stage of complaints		✓	X	X	X	
	Third stage of complaints	✓		X	X	X	

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KEY FUNCTION	ACTION SHEET TASKS	TRUST	COMM	PRINCIPAL	BM	STAFF	Staff
Trust Procedures	To appoint (and remove) the chair and vice-chair of the Trust*	✓		X	X	X	
	To appoint and dismiss the clerk to the governors	✓		X	X	X	
	To appoint and dismiss the clerk to a Committee		✓				
	To appoint and dismiss the clerk to an Academy Committee	X	✓	X	X	X	
	To appoint the Chair of a Committee	✓					
	To appoint the Chair of an Academy Committee	✓					
	To hold a Trust meeting once a term or as often as occasion may require*	✓		X	X	X	
	To appoint and remove co-opted, including temporary additional co-opted governors*	✓		X	X	X	
	To approve and set up an expenses scheme		✓	X	X	X	
	To consider whether or not to exercise delegation of functions to individuals or committees*	✓		X	X	X	
	To review at least once a year the establishment, terms of reference and membership of committees, including selection panels*	✓		X	X	X	



Allocation of major responsibilities between Trust and Principal

RESPONSIBILITIES OF PRINCIPAL	RESPONSIBILITIES OF TRUST
ACADEMY BUDGET	
To work with the F&GP committee to submit to the Trust an annual budget plan which must confirm to DfE regulations.	To consider the annual budget plan and to amend where appropriate. To approve the budget plan and to consider and approve any proposed revisions to the budget plan.
	To decide how to spend any additional grant paid to the establishment.
	To decide whether to delegate their powers to spend the delegated budget and any grants to the Principal. If so, they should decide the amount to be delegated.
To advise the Trust on the appointment of staff.	To decide the number of staff at the academies and the levels of the posts
STAFFING	
	To advertise Principal appointments nationally and all other vacancies as appropriate.
	To set up selection panels for Head of Academy, Deputy Principal, Deputy Head & Assistant Head posts.
To advise the Trust on the appointment of staff.	To conduct interviews and make recommendations on appointments of SLT.
	To decide the overall procedures for appointing staff, including whether to delegate functions to the Principal.
To advise the Trust on the specification for a vacant teaching post.	To decide whether to exercise their power to delegate certain functions relating to the appointment of staff.
To recommend appropriate pay levels.	To decide a specification for any vacant post, in consultation with the Principal.
To advise the Trust on adopting effective procedures to deal with incompetent teachers and to keep the Trust informed of the general operation of such procedures and implement these.	To set /pay for all members of staff, including that of the Principal and any Vice Principal. Consultation where appropriate with Principal.

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RESPONSIBILITIES OF PRINCIPAL	RESPONSIBILITIES OF TRUST
	To decide whether any payment should be made in respect of dismissal, or to secure the resignation of a member of staff (includes early retirement and redundancies) and the
	To decide whether to grant early retirement to teachers.
To advise the Trust on payments to be made.	To dismiss an employee.
To advise the Trust on whether anyone employed at the academy should be dismissed.	To establish disciplinary rules and procedures and staff grievance procedures and to take appropriate steps to make them known to members of staff.
To suspend staff in appropriate circumstances.	
To deploy, manage and lead all teaching and non-teaching staff to the academies and ensure that proper standards of professional performance are established and maintained.	
CURRICULUM	
To comply with the law regarding the curriculum.	To ensure that the curriculum is balanced and broadly based.
	To establish a sex education policy, to ensure that copies of the policy are available free of charge to parents and that parents can read a copy of the policy at the academy.
PERFORMANCE MANAGEMENT	
To draft an academy performance management policy within the framework set by the Regulations.	To establish an academy performance management policy within the framework set by the Regulations.
To consult all academy teachers, if requested by the Trust, before drafting a performance management policy.	To ensure that all teachers are consulted.
To implement the academy performance management policy established by the Trust.	To implement the academy performance management policy. To review and, if necessary, amend the performance management policy annually.
To appoint/act as performance managers for teachers.	To ensure that academy teachers receive a regular appraisal of their performance.
To review complaints by teachers about their performance manager where the Principal has not been the team leader.	

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RESPONSIBILITIES OF PRINCIPAL	RESPONSIBILITIES OF TRUST
	To appoint two or three governors to take responsibility for carrying out all aspects of the Principal's performance management.
To set the timing of the performance management cycle for other teachers.	To decide the exact timing of the performance review cycle for the Principal. To appoint one or more review officers where a complaint is made by the Principal about his/her performance review and the Chair of Governors has been involved in that review.
STANDARDS AND TARGET SETTING	
	To be responsible for setting by 31December of each year the targets for the achievement of pupils at the end of KS2, KS3 and KS4 in the following academic year, and for publishing those targets in their annual report.
EXCLUSIONS	
The Principal can exclude pupils for fixed periods of not more than 45 days in total in a year or permanently.	Trust to set up a pupil discipline committee to review the use of exclusions in the academies and to decide whether or not to confirm all permanent exclusions and fixed term exclusions where the pupil is either excluded for more than 5 days in a term or would lose the opportunity to take a public examination.
ADMISSIONS	
The Principal may deal with applications for admission only where the need to determine an application does not arise, which will be where none of the statutory circumstances for refusing admission apply. This applies to applications at both the normal time of entry and to in-year applications.	An academy's admission authority is responsible for setting its admission policy and making the arrangements for admission appeals. All admissions must conform to DCSF regulations.

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RESPONSIBILITIES OF PRINCIPAL	RESPONSIBILITIES OF TRUST
RE	
The Principal shall ensure that RE is provided, in accordance with each academy's basic curriculum.	The Trust shall ensure that RE is provided in accordance with each academy's basic curriculum.
COLLECTIVE WORSHIP	
The Principal shall ensure that each pupil shall each day take part in an act of collective worship.	The Trust shall ensure that each pupil shall each day take part in an act of collective worship.
ACADEMY PREMISES	
Day to day management of each academy and day to day charge of who can enter academy premises.	To control the use of academy premises both during and outside the school day.
HEALTH AND SAFETY	
To comply with statutory regulations and Trust directions.	To prepare a health and safety policy, carry out risk assessments and set up arrangements to manage health and safety.
MEDICAL CARE AND SCHOOL MEALS	
	To ensure pupils take advantage of medical care available. To ensure free meals provided for those pupils whose parents are in receipt of relevant benefit are paid meals on request.